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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/814,042

03/20/2001

Kevin E. Crawford

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3522

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01/06/2005

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EXAMINER

PAULA, CESAR B

ART UNIT

PAPER NUMBER

2178

DATE MAILED: 01/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/814,042	CRAWFORD ET AL.	
	Examiner	Art Unit	
	CESAR B PAULA	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 August 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

1. This action is responsive to the amendment, and invocation of 35 USC 103(c) filed on 8/17/2004.

**This action is made Final.**

2. In the amendment, claims 16-17 have been added. Claims 1-17 are pending in the case. Claims 1, 6, and 11 are independent claims.
3. The rejection of claims 1, 4, 6, 9, 11, and 14 rejected under 35 U.S.C. 102(e) as being anticipated by Kanevsky (Pat.# 6,300,947 B1, 10/9/2001, filed 7/6/1998) have been withdrawn as necessitated by the amendment.
4. The rejection of claims 2-3, 7-8, and 12-13 rejected under 35 U.S.C. 103(a) as being unpatentable over Kanevsky, in view of "Laura Lemay's Web Workshop JavaScript", Lemay et al, hereinafter Lemay, Sams.net, 1996, pp.219-229 have been withdrawn as necessitated by the amendment.
5. The rejection of claims 5, 10, and 15 rejected under 35 U.S.C. 103(a) as being unpatentable over Kanevsky, in view of Ross (Pat.# 6,163,780, 12/19/2000) have been withdrawn as necessitated by the amendment.

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***Specification***

6. Appropriate corrections have been made to the abstract of the disclosure. Therefore, its objection has been withdrawn.

***Drawings***

7. The drawings filed on 3/20/2001 have been approved by the examiner.

***Claim Rejections - 35 USC § 112***

8. The following is a quotation of the second paragraph of 35 U.S.C. 112.:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claims 1-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

10. Claims 1, 6, and 11 recite the limitation "the page layout format" in lines 4-5, 4, and 5-6 respectively. There is insufficient antecedent basis for this limitation in the claim. There is no previous "page layout format" in these claims.

***Claim Rejections - 35 USC § 102***

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

12. Claims 1-2, 4, 6, 9, 11, 14, 16-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Peiffer et al, hereinafter Peiffer (Pat.# 6,834,297 B1, 12/21/2004, filed 10/6/2000).

Regarding independent claim 1, Peiffer discloses a client browser for downloading of a web page(s)—*web content file* containing web page source data-- from a server (col.1, lines 53-65, col.6, lines 16-33).

Moreover, Peiffer teaches the compressing or filtering the size of web pages by filtering out non-renderable data, such as whitespaces, comments, hard returns, etc., from the web page thereby creating a smaller modified resource (col.2, lines 1-16, col.9, lines 12-68, fig.17-19). The filtering out of the non-renderable data does not alter the layout of the web page.

Furthermore, Peiffer teaches the sending of the filtered web page—*downloading to the browser the reduced size file* without the filtered objects-- to the requesting web browser client for display (col.1, lines 53-65, col.2, lines 1-16, 33-56, col.9, lines 12-68, fig.17-19).

Regarding claim 2, which depends on claim 1, Peiffer teaches the compressing or filtering the size of web pages by filtering out non-renderable data, such as whitespaces, comments, hard returns,--*comments and unused logic blocks* etc., from the web page thereby creating a smaller modified resource (col.2, lines 1-16, col.9, lines 12-68, fig.17-19).

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Regarding claim 4, which depends on claim 1, Peiffer teaches the compressing or filtering the size of web pages by filtering out non-renderable data, such as whitespaces, comments, hard returns, —*consolidating into one logic blocks* of markup language representing the HTML lines—by deleting the non-renderable data—*shortening recurring identifiers --*, which are not needed, from the web page thereby creating a smaller modified resource (col.2, lines 1-16, col.9, lines 12-68, fig.17-19).

Claims 6, and 9 are directed towards a computer system for implementing the steps found in claims 1, and 4 respectively, and therefore are similarly rejected.

Claims 11, and 14 are directed towards a program storage device for storing the steps found in claims 1, and 4 respectively, and therefore are similarly rejected.

Regarding claim 16, which depends on claim 1, Peiffer teaches the compressing or filtering the size of web pages by filtering out non-renderable data, such as whitespaces, comments, hard returns, etc., from the web page thereby creating a smaller modified resource (col.2, lines 1-16, col.9, lines 12-68, fig.17-19). The web page is formatted using HTML code—*human readable source code--*.

Regarding claim 17, which depends on claim 1, Peiffer teaches the compressing or filtering the size of web pages by filtering out non-renderable data, such as whitespaces, comments, hard returns, etc., from the web page thereby creating a smaller modified resource.

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The web page is then sent to the browser client (col.2, lines 1-16, 33-56, col.9, lines 12-68, fig.17-19). In other words, the display of the web page takes place at the client, without any recompilation after the size has been reduced at the server.

***Claim Rejections - 35 USC § 103***

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 3, 7-8, and 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peiffer, in view of "Laura Lemay's Web Workshop JavaScript", Lemay et al, hereinafter Lemay, Sams.net, 1996, pp.219-229.

Regarding claim 3, which depends on claim 2, Peiffer teaches the compressing or filtering the size of web pages by filtering out non-renderable data, such as whitespaces, comments, hard returns, etc., from the web page thereby creating a smaller modified resource (col.2, lines 1-16, 31-56, col.9, lines 12-68, fig.17-19). Peiffer fails to explicitly teach *the unused logic blocks are functions that are in the file but not used*. However, Lemay teaches the use of Javascript functions and comments (using "//" marks) for rotating advertisement banners, which are annoying to some users (page 227, line 10-page 229, line 9, list. 12.4). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Peiffer, and

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Lemay, because Peiffer teaches above the benefit of stripping off non-renderable or unneeded data from a web page, thereby, thereby reducing the amount of data that has to be transmitted, and speeding up the display of the web page.

Claims 7-8 are directed towards a computer system for implementing the steps found in claims 2-3 respectively, and therefore are similarly rejected.

Claims 12-13 are directed towards a program storage device for storing the steps found in claims 2-3 respectively, and therefore are similarly rejected.

15. Claims 5, 10, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peiffer, in view of Ross (Pat.# 6,163,780, 12/19/2000).

Regarding claim 5, which depends on claim 4, , Peiffer teaches the compressing or filtering the size of web pages by filtering out non-renderable data, such as whitespaces, comments, hard returns, etc., from the web page thereby creating a smaller modified resource—*consolidating into one logic blocks* of markup language representing the lines-- by filtering out the non-renderable data, because it does not perform a vital function to the web browser client for fails to explicitly teach *the consolidating step includes the step of identifying duplicated functions and replacing the duplicated functions with a reference to a single function in a library*. However, Ross teaches reducing the size or condensing of JAVA code by replacing each method or function in the code with a reference to the location to that method within a



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sorted class list—*single function in a library* (col.2, lines 9-11, 29-41, 54-67, col.3, lines 8-26). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Peiffer, and Ross, because the benefit of compressing computer code so as to remove unnecessary code and data to shorten access, and execution times (col.1, lines 48-col.2, line 26). This in turn would lessen the load on the limited resources of the small device such as the one.

Claim 10 is directed towards a computer system for implementing the steps found in claim 5, and therefore is similarly rejected.

Claim 15 directed towards a program storage device for storing the steps found in claim 5, and therefore is similarly rejected.

### ***Response to Arguments***

16. Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection. Regarding claims 1, 6, and 11, Applicants indicate that the prior art references do not disclose or suggest the maintaining of the layout of the modified requested file (page 9, lines 1-8). The Applicants are directed towards the new rejections above precipitated by the amendment, which overcomes Kanevsky.

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Moreover, Applicants state that Ross needs to recompile the source code, while the modified code of this invention does not (page 9, lines 19-21). The Applicants are directed to the rejection of this newly added limitation.

Moreover, Applicants add that if Kanevsky, and Lemay were combined, the result would substantially not teach the maintaining of the page format (page 9, lines 19-21). The Applicants are directed to the rejection of this newly added limitation.

Claims 2-5, 7-10, 16-17 are dependent on independent claims 1, 6, and 11, which have been rejected as indicated above. Therefore, these dependent claims are rejected at least based upon the rejection of their respective independent claims.

#### ***Conclusion***

17. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

I. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Robotham et al. (Pat. # 2004/0239681), Maasena et al. (Pat. # 6,625,803), and Talati (Pat. # 5,999,942).

II. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cesar B. Paula whose telephone number is (571) 272-2148. The examiner can normally be reached on Monday through Friday (every other Friday off) from 8:00 a.m. to 4:00 p.m. (EST).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong, can be reached on (571) 272-4124. However, in such a case, please allow at least one business day.

Any response to this Action should be mailed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Or faxed to:

- (703) 703-872-9306, (for all Formal communications intended for entry)

  
CESAR B PAULA  
Primary Examiner  
Art Unit 2178

1/4/05